

United States Bankruptcy Court  
Eastern District of New York

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In re

Brigid Giambrone,

Case No. 1-16-42610-cec

Chapter 11

Debtor.

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**CERTIFICATION WITH RESPECT TO TALLY OF BALLOTS  
ON THE PLAN OF BRIGID GIAMBRONE  
DATED SEPTEMBER 15, 2017**

Fredrick P. Stern, attorney for the Debtor, Brigid Giambrone, certifies as follows:

1. On October 12, 2017 the United States Bankruptcy Court for the Eastern District of New York (the “Court”) entered an Order conditionally approving the Disclosure Statement of the Debtor dated September 15, 2017, approving forms of ballots, establishing voting deadlines and establishing procedures for objecting to the confirmation of the Debtor’s proposed Plan (the “Order”).

2. As specified in the Order, November 1, 2017 was the deadline for filing written acceptances or rejections of the Plan.

3. After the November 1, 2017 deadline had passed, the ballots received were tallied.

4. None of the ballots received were either improperly executed or untimely.

5. I hereby certify that the results of the voting by creditors are as set forth in Exhibit “A” hereto, which is a true and correct copy of the final tabulation of votes.

6. Annexed hereto as Exhibit “B” is a detailed accounting of the properly executed ballots included in the final tabulation.

I declare under the penalty of perjury that the foregoing is true to the best of my

knowledge and belief.

Dated: Nesconset, New York  
November 5, 2017

/s/Fredrick P. Stern

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FREDRICK P. STERN, ESQ.

## EXHIBIT "A"

Creditor for Class (#, Descrip)	Members of Class Casting Ballots	Total \$ Value of Claims Voting	#Accepting	%Accepting	\$ Value of Acceptances	% Value of Acceptances	# Rejecting	%Rejecting	\$Value of Rejecting	% of Value Rejecting	Indicate if claim is Unimpaired
1: Administrative Claim of NY Office of Administrative Hearings and Trials .	1	\$1,000.00	0	0%	\$0.00	0%	0	0%	0	0%	Yes
2:Secured Claims of Bank United NA	1	\$803,931.47	0	0%	\$0.00	0%	0	0%	0	0%	Yes
3: Secured Claim of Branch Bank & Trust	1	\$369,182.62	0	0%	\$0.00	0%	0	0%	0	0%	No
4: VNB New York LLC	1	\$666,432.64	1	100%	\$666,432.64	100%	0	0%	\$0.00	0%	No
5: Bayview Loan Servicing, LLC	1	\$528,733.00	0	0%	\$0.00	0%	0	0%	0	0%	Yes
6: McCormick 105 LLC	1	\$819,617.11	0	0%	\$0.00	0%	0	0%	\$0.00	0%	No
7: Shellpoint Loan Servicing, LLC	1	\$454,000.00	0	0%	\$0.00	0%	0	0%	0	0%	Yes
8: Ocwen Loan Servicing, LLC	1	\$650,000.00	0	0%	\$0.00	0%	0	0%	0	0%	No

9: JP Morgan Chase Bank	1	\$104,000.00	0	0%	\$0.00	0%	0	0%	0	0%	No
10: PNC Bank NA	1	\$76,005.69	0	0%	\$0.00	0%	0	0%	0	0%	No
11: Santander Bank USA	1	\$18,209.54	0	0%	\$0.00	0%	0	0%	0	0%	Yes
12: General Unsecured Creditors	5	\$386,420.05 *	1	20%	\$277.81	1%	0	0%	0	0%	No

\*The unsecured claim of Ocwen Loan Servicing, LLC (Class No. 8) was valued at \$66,405.33 since the claim by Class 8 is further secured by the insurance litigations.

## EXHIBIT "B"

Class	Creditor Name	Accept Count	Accept Amount	Reject Count	Reject Amount
1	NYC Office of Administrative Trials and Hearings**	0	\$0.00	0	\$0.00
2	Bank United NA**	0	\$0.00	0	\$0.00
3	Branch Bank & Trust **	0	\$0.00	0	\$0.00
4	VNB New York LLC *	1	\$666,432.63	0	\$0.00
5	Bayview Loan Servicing, LLC**	0	\$0.00	0	\$0.00
6	McCormick 105 LLC *	0	\$0.00	0	\$0.00
7	Shellpoint Loan Servicing, LLC**	0	\$0.00	0	\$0.00
8	Ocwen Loan Servicing, LLC**	0	\$0.00	0	\$0.00
9	JP Morgan Chase Bank, NA**	0	\$0.00	0	\$0.00
10	PNC Bank NA**	0	\$0.00	0	\$0.00
11	Santander Bank USA**	0	\$0.00	0	\$0.00
12	American Express*	1	\$277.81	0	\$0.00
12	Capital One Bank**	0	\$0.00	0	\$0.00
12	Freelighting Corp.**	0	\$0.00	0	\$0.00
12	Branch Bank & Trust **	0	\$0.00	0	\$0.00
12	Ocwen Loan Servicing LLC**	0	\$0.00	0	\$0.00
Total		2	\$666,710.44	0.00	\$0.00

\*Ballot Received

\*\*No Ballot Received